

Polit. Pamphlet 37

The
ENGLISH
MEMORIAL. K

The 99th *Edition*, with many *Additions*,
and but few *Amendments*.



MUSCOVIA,

Printed by *Passive Obedience and Non-Resistance* : And are to
be sold by *Licurgus Theocratus*, at the sign of Royal Majesty,
between Liberty and Slavery,

In
LAODICEA.

To the
R E A D E R.
R E A D E R.

Since we have said so much to others, it may be thou wouldst be angry, should we have said nothing to Thee.

Then these are to give thee Notice that we understand by the London Gazette of the tenth January 1688, that the Padlock of the press is again put into the hand of Robin Hogg, old Towzers Lurcher: which being so soon done is no good sign of the rest: especially since it is so fresh in memory that stopping of presses and mouths hath been the main cause that the Grievances and Distempers of the Nation have wrought, and had their effect inwardly for want of outward vent.

And thereby have the Discontents of the People turned to perfect malice against the Government: That as soon as the East Wind began to blow a little hard, down fell our structure at once: Altho' whoever had surveyed the outside, and given reasonable Allowance for that within would easily have believed that it was not only able to resist a blast or two, but even to hold out for one sharp Winter at least: and if men will take the same measures, they may easily bring their Hogg to such another Market.

Besides all this some People had hope that when there is so great Expectations of Liberty of Conscience for others, that the poor persecuted press, which from its hard usage has been considerably disabled from speaking otherwise then out of the Court side of the head this 28 years: Might in the Crowd have been favoured with a due Liberty of Conscience among other Dissenters: if not for ever, yet for a few months, till things were better settled that having its vote among the Rest, it might have less reason to complain in time to come.

And men had imagined that the Education of some Persons in a Free Country might have given them opportunity to know, that a due Liberty both in speaking and writing does alwayes more good then harme to a good and honest Government: but its hope that this was rather done out of Misinformation then design: nor can it easily be believed that they who are Excellent and Extraordinary in every thing should designedly fail in this.

But however (Honest Reader) for fear of the worst and to prevent Interception we have not sent this by the ordinary Post, but by a Messenger, on purpose to hand it to thee.

To the

STATES GENERAL.

High and Mighty Lords :

THE Love, Affection and Friendship which Your *High and Mightynesses* have exprest to us, your poor and distressed Neighbors, not only in entertaining Protecting and Relieving our poor Afflicted and Banished Countrymen from time to time: But also to your own unspeakable *Travail, Hazard, and Expence* in lending us your Assistance and helping Hand to *Rescue* our selves and Posterity from *Papery and Slavery*: has not only engaged our hearts Love and Affection to your H. and M. the most *Serene Estate* and to the People of the United Netherlands: But also obliges us to think it our duty to improve the Opportunity, not only in making *suteable Returns* from our selves; But likewise in *Recommending* it to our *Children*, that Generations to come, may blesse your *Lordships*, and gratefully acknowledg those Transcendant Obligations to you and your People for ever.

And may we not only be put into a Condition of *Reimbursing* the Expence of this great and glorious Undertaking with *Gratitude, Thankfulness* and *Humility* suteable to the *Obligation*. But that our *Constitution and Government* might be so *established* as to put us, and posterity in a Condition of having a grateful Remembrance of this in all time to come.

And as your *Lordships* Wisdom, Goodness and Greatness has exceedingly contributed to our relief from *Tyranny and Oppression*, so may it also assist us in settling and establishing the Freedom of our native Country, upon such lasting *Foundations*, that it may not be in the power of any, by fraud or Violence: again to wrest it out of our hands.

And forasmuch as establishing an *undesolveable Alliance and Friendship* between your *Lordships*, your high Successors, and our Nation to all Posterity, is the best and greatest work which this Age can be capable of: and the settling such an Understanding, being morally impossible

so long as it remains in the power of a King of England; of his own meer motion, and without the Advice or Consent of any to involueus in War, how unlawful soever not only to the Hazard and loss of mens Lives and Goods; But even to the Danger and Ruine of Millions of Souls, who under such Circumstances may be tempted to contract the guilt of Blood and Robbery by contributing their Assistance in Person or Estate to an unlawful Warr.

What Security can you have in making peace with England, so long as its King Remains among the herd of Absolute Princes? whose Maxime it is: not to keep Faith against their Intrest. And of which themselves will always be Judges.

What Expectation can you have of our Friendship, so long as all your Security lyes in the honesty of one man? and the Vertue, Justice and Goodness of the Nation can have no opportunity to shew it self; So long as Parliaments are, so much the Kings Creatures in the matter of their Creation and Dissolution; so long as there remains any man in England, which dare pretend to be unaccountable to the Law and the Parliament; so long as our Parliaments have not the power of punishing and restraining the greatest Offenders.

There is now presented to your High and Mightyness the blessed Office of Peacemakers, and God by his Providence Hands an Opportunity such as has not been, nor can we reasonably expect the like an any time hereafter.

God and good men expects that your Lordships and we shall improve this occasion, by making and settling such good just and equal Condition between your H. and M. and our Nation, as may render them durable; and not only that good Conditions be settled between these two Peoples; but also that a way may be found out of determining doubts, and difference that may happen: without the Expence of the Blood and slaughter of one another, as well as the Consumption of Immense Treasures in cruel unnatural War, wherein not only the vanquished, but even the Victor's will always be infinite Loosers.

And since your Lordships are Crowned with this Opportunity, and blessed in having imitated the Ancient and Famous Estates and Common-wealths, who always reconed it not only lawful, but also their duty, to assist and rescue such of their Neighbours as cryed unto them for help and relief from their Bondage and Slavery under Tyranny and Oppression, and seeing the work has so glorious an Issue.

We wish and pray that your Lordships Wisdom and good Advice may

may as Eminently assist us in settling the *Liberty and Freedom* of our Native Country, as your Goodness and Greatness has in freeing us from Bondage and Slavery, who have been so long and so much accustomed to the Yoke, that without more than ordinary Assistance it will be no easy matter to make us understand what we should have, nor when we have how to keep it.

And our Prayer and Desire shall always be, that Your H. and Mts. your High Successors and Posterity may flourish, in promoting and defending the *Liberty, Glory, Wealth and Intrest* of your People and native Country so long as time shall last.

To His
ROYAL HIGHNESS,
The PRINCE of ORANGE.

Most Screen and Mighty Prince.

Since our Sovereign Lord the King Eternal, has been pleased by his wonderful Providence to make and constitute you the Captain General, and Leader of your Brethern, the People of England, and his great appearance and outgoings in that glorious Work wherein you have the Honour to be Chiefly concerned has been such, as will not only be the Wonder and Admiration of the Age we live in, but of all ensuing time: and since so much is done for you, to make suteable Return for those wonderful Mercys, there is much Remains for you to do.

You have promised to God and England to use your Intrest and utmost Endeavour for the Deliverance of us and Posterity from Popery and Slavery, and in a Free and Legal Parliament to establish the Laws and Libertys of our native Country, upon such lasting Foundations, as that it shall not be in the power of any Prince, to introduce Popery and Tyranny in time to come.

And if this be your Highness Intent, beyond all dispute your Undertaking is the greatest most blessed and glorious of that kind that ever was upon Earth: and shall it please the Divine Majesty to bring this

your Design to perfection, Your *Highness* shall thereby become the greatest Man that ever the Christian World knew: and shall add that Glory and Renown to your most Illustrious House, which no malice will be able to darken, nor time to exinguish.

And to attain this glorious End, your *Highness* has been pleased to declare it as your opinion: that a *Free and Legal Parliament* is the only sovereign *Provision*, qualified to administer Remedy to our distempered Nation. It will therefore be expected by every man of understanding, that such an *August Assembly* should not only meet together and make a few new *Statutes*, which in themselves are no better then a Parcel of good wishes for the Nation; and then return every man to his house, without taking care how those and the other good Laws of England shall be duly observed and executed for the future, as all our Parliaments hitherto have done.

Execution is the life of the Law, and except that be well established and ordained, Laws are but Noses of Wax, and capable of Misapplication and ill Constructions, and of themselves but uncertain Empty and lifeless things.

Can we be called Free, so long as it is in the power of one man to send away Parliaments by Prorogations and Dissolutions so often as it pleaseth him?

However we may flatter our selves, the very Design of our Government is and was Tyrannical from the Beginning, and were it not for the Love the English have continually had to their Ease and Royetous Living, which is alwayes more sensible to them then ever true Liberty was, our Nation had long er now been as deep in Slavery, and as much enthralled as France.

For how can we pretend to be governed by Three Estates, so long as one of those can Annihilate and Render useles, both the other two when and how he pleases, so long as our Law supposes the King to be the only *Independent Fountain* of all the Government, *Justice, Order, Right and Property* in our Land, so long as the Military power is wholly and Absolutly in the King, to command them what, how, when an where he pleases within our Land? What Liberty, Safety or Ease can we expect, so long as it remains in the power of our Prince to Levy-Raise, and Muster what force Men and Ammunition of Warr he sees meet, without rendering an account to any for his so doing? so long as our King can embroil us in War, and imbrue us in Blood when he pleases, not only to the Hazard and Danger of the Liberty and

and Property of the Nation, but even to the Death and Destruction of the Subjects, and involuing our Land in unspeakable guilt as well as Blood and Ruin.

It is Your *Highness* Glory to have received your breath, and first being in a Free Land; and not only so, but to be the First in a Free and Renowned Republick; and therefore is it impossible for you to be Ignorant of the due Measures and Ballance of a just and equal Government to make a Prince Easy and Honorable, and a People Free and Mighty.

And should it happen that any thing be left undone that might contribute to the Liberty and lasting Peace of England, men will easily conclude that it was rather design then mistake.

Your *Highness* has experience at home what a *Free Government* is, and what a *Free People* can doe, and Examples abroad what Ruin and Devastation Tyranny makes where ever it comes; in a word, you know enough to do Wonders.

And now it is in your Choice whether you will, be a *Moses* or *Saul*, a *Brutus* or a *Cesar*, a *Licurgus* or a *Nabis*, a *Dion* or a *Dionisius*; but what need to look abroad for Examples, since we may find them to eminently at home? the Examples of which of your Progenitors will you follow; will you imitate the *Stewards* or the *Great Nabaw*?

Those who have been so far from purging out the Remaining dregs of Tyranny, and Removing the original Cause of all our Civil Wars, Confusion, Mischief, Misery and Ruin, that they have all along endeavoured by Fraud and Violence quite to extinguish the small Sparks and Shadows of Freedom which we have seemed to have. And who have cajouled and flattered us with pretended Immunities; the more easily to rob and spoil us, and used our seeming Liberty as a cloak and spacious Pretence, the better to colour their Tyranny.

Or will your *Highness* follow the famous and renowned Examples of your most *Illustrious Ancestors* of the Fathers side: who have ventured their dearest Blood in relieving their Native Country from Tyranny and Oppression, and setting the same in a state of Freedom, and are, thereby become the *Fathers and Founders of one of the most famous Republicks and Government that ever was in the World*, to their immortal Glory and never dying Fame.

And it is expected by every one that your *Highness* should rather ad
to,

to, then detract from the vertue Glory and Renown of those your
most Illustrious Progenitors.

The People of *England* are not worse natur'd then those of other
 Countrys, as some Enemies of our Nation have pretended, from the
 Distractions they have observed to happen so frequently among us :
But as it would be very uncharitable in persons who see an Infant rest-
less and unquiet to judge that such untoward restlessness comes more
from the ill temper of the Babe above others, then from some secret
 griefe sickness or pain : So is it that the Distractions and Disorders,
 which so frequently happen among our Countrymen, are rather from
 the Disorder and Inequality of their Government and Constitution,
 then from any ill Disposition in the People more then others.

The original Cause of these things has alwayes been in the Estate
 more then in the People ; and take away the Cause, and the Effect will
 cease : for it is a Maxim in Policy which alwayes proves true : *That*
Hunger and Poverty make People laborious, and Laws make them
good.

S I R.

The Eyes of God and good Men are upon you, and more then or-
 dinary is expected from you, be therefore pleased to remove this un-
 equality from our Government, which hath, is, and otherwise will be,
 the original Cause of all our Misery from and by intestine Difference
 and War, which has for so many Ages rendred our Land a Stage of
 Slaughter and Blood.

G R E A T S r.

Be pleased to take this in kindness and good part, which was never
 intended to disoblidge, or in prejudice to any, but only a free, plain,
 honest and publick Remonstrance, speaking openly and freely in our
 Publick and Common Cause.

And your *Highness* having presented us this *Glorious Opportunity*,
 beyond what ever we or our Fathers saw, we are thereby emboldned
 and encouraged with the greatest Thankfulness, Gratitude, Humility
 and Freedom to express ourselves.

And how Happy will it be for us, as well as Glorious and Easy for
 your *Highness*, to have things so wel considered, weighed and digested
 now, that we nor our Childern may have noe cause to murmer nor
 complain in any time to come.

Most Screen and Royal Prince.

We Implore the Divine Majesty and Wisdom, that your *Highness*
 may

may abundantly add to the Glory, Praise and Renown of your *most Glorious and Illustrious Progenitors*, by becoming the *Father and Founder* of our *Liberty and Freedom*, that this and Ages to come may be happy, peaceable and prosperous, and that your *Highness* may always be blest and attended with *incomparable Vertue and glorious Success*, and exceedingly magnified, loved and desired in this, and remembered, admired and honoured in all time to come.

To the PARLIAMENT of ENGLAND.

Most Noble Senators.

WHat Pity is it to see the most August and Honorable Court in the World, without a Real Being and Consistency in it self; but wholly depending upon another for *Being* as well as *Motion*. It may well be said of England, that *what they gain by War, they lose by Treaties*; for tho our Ancestors have often had the Courage to wrest their Freedom out of the hands of Tyrants and Oppressors, yet never had they Wisdom, Policy or Discretion enough to secure, settle and establish their dear bought Liberty to themselves and Posterity, by such just and reasonable Conditions, and upon such equal Constitutions, as that it might not be in the power of any Prince to introduce Tyranny, and its consequence Slavery, in any time to come.

Our Countrymen presume to boast of the bravest Laws and the best of Governments: But this appears not from the Reason, nor from the Consequence of the same.

For how can Englishmen boast of Freedom, so long as the Law supposes their King to be *Natural Supream and Sovereign Lord* over all Persons and Causes Ecclesiastical as well as Civil: *And were he a Devil, he must be a Bishop.*

Not only the Executive Power is in his hand, but in reality and effect the Legislative too, and he is not only the Commander in Chief and Captain General, but even the *Supream and Sovereign Lord* and Proprietor of all the Military Force and Materials of War, Cities, Ports and Towns of our Land; nor can any man use a wappen in England otherwise then under the Absolute Direction of the King: and

it is not only the highest Crime to oppose him, but even in the least measure to resist and dispute this Absolute and Sovereign Power of his.

And he is not only invested in the most Absolute manner with the Military power and Command, but also with the Civil; for he is the *Fountain and Source* of all our Liberties and Estates; what ever we have in this World descends originally and primerily from him; he is the great Land-Lord of England, for there is not a foot of Land in, the Nation, but what our Law suppose him to be; the *Lord Original, Owner and Proprietor* of; and whosoever receives profite of the same must pay an acknowledgment to him.

All Immunities whether of Counties, Citties, Bodies, Politique or Private Persons, are derived and received from him: All Civil Office and Authority as well as Military doe wholly and absolutly depend upon him, and either *mediatly or immediatly*; he makes and constituts all the Judges, Justices, and other High Officers throughout the Nation. *All are not only obliged to him of Intrest, but even of Necessity*; for no Officer of consequence Ecclesiastical, Civil, Military, or Mixt, can be qualified or made capable of his Office without taking the Oaths of *Supremacy and Obedience* by which they are sworn in plain expresse and comprehensive English words, to *obey the King without Exception or Reserve*; and that without any manner of Notice or Comprehension of any other Person, Power or Authority whatsoever.

All manner of Peace and Warr is made by the King: and all manner of Writs; Process and Stile of Government run in his name, all and whatsoever concerns the Government of our Land depends upon him. And even the Lords and Commons are either Mediatly or Immediatly made by him, for its weel known that the Upper-House receive their Honours and Priviledges to sit in Parliament from him; nor is he limited either as to Numbet or Circumstance in creating such and so many as he pleases *Peers of England*; so that should he secure the Majority of the Oppor-house to his purpose by creating his Footmen (as some have done) Lords of the Parliament, who can hinder him from so doing?

And tho the Commons-house of Parliament, *were the Liberty and Ancient Immunities of the Cities, Counties and Borroughs secured, and Elections so regulated that they might not be so easily corrupted as they commonly are*: be indeed the true equal and reasonable Representatives of the People of England.

Yet since the whole Parliament is not only disabled from acting without the consent of the King, but it being also the *Prerogative* of his *Royal Majesty* to annihilate and dissolve the same when it pleaseth him: This Priviledge has rather been a Snare to many honorable and worthy Gentlemen then any sufficient means, to secure the Freedom of England.

For how many of the bravest Men that ever England bred for their honest, but it may be not verly prudent Asserting the Priviledge of Parliament; have first seen their Parliament dissolved before their Eyes. And have afterward by *Shams and Royal Inventions* been dispatcht by way of Ax and Halter, upon *Steele's Errands* to the other World, to see whether Kings make such work with their Parliaments in that as they doe in this.

And notwithstanding all their past Examples, yet our Countre-men have still persisted in their old Ignorance, and fond Conciets of Asserting the *Termes and Conditions of a Non-entity*.

And this King of ours is not alone thus Absolute in Temporal things, but also in Spiritual; for he is the *great Shepherd of our Souls, Universal Bishop, and Pope of England*. And there is not a Bishop, nor dignified Clergeman made without him.

Thus is this *Monstrous Giant* armed and appointed on all sides, and put in a Condition to hurt disable and restrain every one: and *who is able to make War with him*, for the Thunder and Lightning which proceeds out of his Mouth, consumes our Parliaments Courts of Justice, Juries, Constitutions of our Cities and Free Towns, and whatsoever else is most near and dear unto us.

But our Ancestors finding this *frightful Beast* not only appear, and discover himself thus terribly to them and their Children, but also to bath himself in the Blood of the fairest of them; and threaten the rest with immediat Ruin, resolved to take some course or other, to prevent his Insolencies for the future.

Therefore was it unanimously agreed to bind him *hand and fast with Ropes of Sand*, and to make sure work on't they swore him most solemnly by the *Gods he never knew*, and obliged him upon the *Word of a King*, that he should perform execute and observe certain Terms, Laws, Conditions and Limitations made and agreed upon by them, of which the principal and most fundamental are these.

1. That no Freeman be imprisoned, banished, prosecuted, impleaded, or any other way destroyed but by lawful Judgment of his Peers, or by the Law of the Land.

2. That no man be amerced or fined to more then he is worth, and that his Contentment or Means of living be still left to him.

3. That by a mans Peers or Equals shall always be understood the good Lawful men of his Neighborhood.

4. That His Sacred Majesty will not deny nor defer to any man Justice nor Right.

5. That Parliament should be held once in the Year at the last.

6. That London and all the Antient Cities and Corporations in England should hold and enjoy all their Priviledges and Immunities.

7. That his Majesty should make no new Laws nor raise any Money, but by consent of Parliament.

But honest hearts they had forgot that ever since the dayes of his Royal Majesty Nimrod, the Founder of that hopful Society, and Inventor of Castles and Fortrefs, it has been the first Lesson in Kingcraft, to keep no Conditions against their Intrest.

And suppose a King at one time or other should judge it for his Intrest, to dispence with a Statute, two, or three, or with the whole Book of them: or suppose he find it for his Intrest to pack a parcel of Judges and Juries, and invent a Royal Sham to araign and condemn a man thirty or forty, worth eighth or ten thousand pound per An, each and seize upon their Estats, to supply his present wants and Emergent occasions: or suppose he uses any other Indirect or way to fill his Coffers, or satisfy his lust.

The Question will be, who can call him to an account, or restrain him from so doing, and if there be no sufficient provision in our Law for punishing and preventing such Crimes, then the Question will not so much be, whether our Laws are good or otherwise; as whether a Bad King (if there can be any such) can always find men enough in the Nation, who for fear threatening intreaties honours Intrest or profit, will be perswaded to pervert the Law, and ruin the People of England.

But should we by Chance as men kill the Devil, happen upon a good King, or rather he happen upon us, then can those Laws be of no use between him and us; for Laws are not made for good and righteous men, but for the Lawless and Disobedient.

So that all the Laws made for securing the Liberty of England, are
or

found by wofull Experience unable and insufficient, for being neither of force against Bad Kings, nor of use against good ones, they remain wholly useless and insignificant.

And by the Constitution of England, there being no sufficient means, nor provision to curb nor punish the insolency of Tyrants, nor powerful Mediator to stand as a *Schrene* between our Prince and People.

Therefore it is that when the People find themselves aggrieved, and have no ordinary Means or Redress, to which they can have Recourse, nor so much as an opportunity to vent their Discontent and Misery. They who are commonly and for the most part, but an ordinary sort of Christians, and as far from being Saints as their Kings are from being Angels, do presently betake themselves to extraordinary means, and in spite of passive Obedience, Non-Resistance, and even Priest-Craft it self: As soon as ever they finde Opportunity break forth into open Rebellion, and this is the true and only Reason why our Native Country has been for so many Ages imbrued in Blood and imbroiled with intestine difference and War. So that our Countrymen have never yet invented a better way of Restraining opposing and punishing this huge and fearful Giant, the Monarchy of England, then by stirring up against him that ill shappen unweldy and lawless Monster *Jan Hagle*.

Wile men will have Reason enough to reflect upon the Wisdom of England, when they consider that Rebellion which in it self is one of the most odious Crimes in the world, is the only Remedy which our poor Nation has to secure it self from time to time against Oppression and Tyranny: and there is no medium in England between perfect Tyranny and meere Anarchy and Confusion.

Since all Mankind who are in any degree civilized must needs acknowledge, that Rebellion against any established Government, is in it self one of the most horrid black destructive unnatural sins in the world, nor can any thing make it lawful, but only the preventing a worser mischief.

And it is because the shadow of Freedom and some considerable measure of knowledge in and respect to property, has been preserved by means of the love, that our Countrymen has always had for ease and Royetons living; that enables the People of England to make Resistance against the Tyranny, when they are thereby pinched a little too hard.

This Nation is in the middle way between those two irreconcilable Extreames, and destitute of a powerful Mediator, cloathed with sufficient Reputation, Power and Authority, to stand and make Interces-

tion and preserve the peace between these two monstrous Giants, *Ab-soluite Monarchy*, and *Jan Hagle*; whose dispositions are the greatest *Antipodes*, one to the other, and yet doth nature deal in this as in many other things, that those two Contrarities *doe allwayes beget and produce on another*.

And so long as England lyes between Liberty and Slavery, and remains in this monstrous Midleway, *which is always most pernicious in State Affairs*. Our State will always be convulsive, and our Government more restless and unsetled then that of other People.

But for all this and a great deal more, the People of England have always been so fond of this their Monstrous Government, that in spite of all opposition, and even of nature it self, they will have it the best and bravest Government and Constitution in the World, which groundless Notions and fond Conciers has rendred all former opportunities, for regaining our Freedom Abortive and fruitless.

And now most *Noble Senators*, have you the knowledge and Experience of the Difference between Freedom and Slavery, *and the opportunity of freeing your native Country from Tyranny and Oppression more then any who have been before you*. Here is an Opportunity handed out unto you through the Divine Providence and Goodness of God, by the hand of an Excellent *Prince*, who has most Nobly and Generously ventured himself, and what ever else was near and dear unto him, *to rescue and deliver distressed England from Bondage and Slavery, and to settle it in a perfect estate of Liberty*.

But it may be that some disaffected to the Religion and Liberty of our Nation, will pretend that our *Lords and Commons* now sitting at *Westminster*, are no lawful *Parliament*, nor *Sovereign Representative* of the People of England.

In answer to this whoever is learned in the Law of Nature, and the true Reason of things, and understands the Case, will easily acknowledge that the People of England had cause enough to take the course which they have done, *in chasing a way their Tyrants*; for since *the Safety of the People is the Supream Law*, no Humane Law, Condition, Obligation or Oath can oblige men against *Self Defence*; for example should a man be so mad as to swear he would kill himself, his Father, Mother, Wife or Children, or let another do it: even *Passive Obedience* in self would easily judge it more lawful for such a man to *break his Oath then do the deed*.

And if the People of England had lawful Cause, by natural Right, to
rid

rid themselves from Tyranny, then beyond all Dispute the same Natural Law allows them by themselves, or Representatives to Consult and Conclud of matters for their *Common Safety and Order*, and it being the most natural and usual way for our Countrymen to have their grievances redressed by their Representatives in Parliament. The present opportunity makes this Assembly not only *Lawful*, but also *Natural and Rightful* Sovereign of England.

But besides all this *most Honorable and worthy Legislators*, because the Lord loveth England to establish it forever; therefore hath he not only set you over it to do *Justice and Judgment*; but he also fortifies strengthens and confirms you by an Act of Parliament and Law of England, which it may be the World little thinks of: and of which we had long since been deprived, had not the Enemies of our Liberty been smitten with Blindness and Infatuation. And the same most Excellent Law is intituled, *An Act for preventing of Inconveniencies happening by the long Intermission of Parliaments* made and enacted 16. Car. 1. Cap. 1. by which it is ordained,

I. In case there be not a Parliament summoned by Writ under the Great Seal of England, and assembled and held before the tenth Day of September, which shall be in the third Year next after the last Day of the last meeting and sitting of this present Parliament, the beginning of the first Year to be accounted from the least meeting and sitting: and so from time to time at all times hereafter, if there shall not be a Parliament before the tenth day of September, in the third year next after the last day of the last meeting, and sitting before that time assembled and held. Then in every such case, the Parliament shall be assembled and held in the usual place at Westminster, on the second Monday, which shall be in the Month of November the next ensuing.

II. In case the present Parliament assembled and held: Or any other Parliament, which shall hereafter be assembled and held by Writ; Or in case any Parliament shall be assembled by Authority of this present Act: and such Parliament, or any of them be prorogued, or adjourned, or continued, or adjourned by prorogation or adjournment until the tenth day of September, which shall be in the third year next after the last day of the last meeting and sitting in Parliament, to be accounted as aforesaid: In every such case, every such Parliament so prorogued or adjourned, or so continued by Prorogation or Adjournment, shall from the said tenth day
of

of September be clearly and absolutely dissolved. And the Lord Chancellor, Lord Keeper of the Great Seal, and every Commissioner or Commissioners for the keeping of the Great Seal of England, shall within six days after the said tenth day of September, in every such third year, in due form of Law, without any Warrant or Direction from his Majesty, his Heirs or Successors, seal and send abroad several and respective Writs to the several and respective Peers of the Realm, that they be personally at the Parliament to be held at Westminster the second day of November next following the said tenth day of September, to treat concerning the high and urgent Affairs concerning his Majesty, the State, the Defence of the Kingdom and Church of England; and shall seal and send abroad several and respective Writs, to the several and respective Sheriffs of the several and respective Counties, Cities, and Boroughs of England and Wales, and and to the Constable of the Castle of Dover, Warden of the Cinque-Ports, Mayor and Bailiffs of Berwick upon Tweed, and to all and every Officer and Person to whom Writs have used to be directed, for the Election of the Citizens, Barons, and Burgesses, of, and for the said Counties, Cities, Cinque-Ports, and Boroughs respectively, to appear and serve in Parliament to be held at Westminster, on the second Monday, which shall be in November aforesaid; which said Peers after the said Writs received, and Citizens, Barons and Burgesses shall then and there appear and serve in Parliament accordingly.

III. The Lord Chancellor, Lord Keeper, and Commissioner or Commissioners shall take a solemn Oath in hæc verba, viz. You shall swear, That you shall truly and faithfully issue forth and send abroad Writs of Summons to Parliament, for both Houses, at such time as is enjoined by an Act of Parliament, Entituled, An Act for preventing of Inconveniences happening by the long intermission of Parliaments. The said Oath to be administered by the Clerck of the Crown to them; and that none of them respectively shall execute any of the said Offices before they have taken the said Oath.

IV. If the Lord Chancellor, Lord Keeper, or any of the said Commissioners, shall fail or forbear to issue out the said Writs according to the true meaning of the Act, he or they respectively shall be disabled, and become by virtue of this Act, ipso facto, to bear his or their said Offices, and be further liable to such punishments,

ments, as shall be inflicted on him or them, by the next, or any other ensuing Parliament.

V. In case the Lord Chancellor, &c. shall not issue forth the said Writ as aforesaid; or that the Parliament do not assemble, to be held at the time and place aforesaid (then the Parliament shall assemble, and be held in the usual place at Westminster on the third Monday, which shall be in the month of January then next ensuing. And the Peers shall be enabled, and are enjoined to meet in the Old Palace of Westminster in the usual place there, on the third Monday of the said month of November; and they, or twelve, or more of them assembled, shall at, or before the last Monday next following the tenth day of September aforesaid, by virtue of this Act, without other Warrant, issue our Writs in the name of the King, his Heirs, or Successors, attested under the Hands and Seals of twelve, or more of the said Peers, to the several and respective Sheriffs of the several and respective Counties, Cities and Boroughs aforesaid, &c. and to all other Officers and Persons, to whom Writs have been used to be directed for the Electing of Knights, Citizens, Barons and Burgesses for the said Counties, Cities, Cinque-Ports, and Boroughs, to be and appear at the Parliament at Westminster aforesaid, to be held on the third Monday in January then next following; which Writs the Clerk of the Petty-Bag, and other Clerks to whom the Writing of Writs for Summons to the Parliament doth belong, or whom the said Lords, or twelve or more of them shall appoint, shall make and prepare ready for signature of the said Lords, or any twelve or more of them, upon pain to lose their Places and Offices, &c. And the said Writs so issued forth shall be of the same power as Writs or Summons to Parliament under the Great Seal of England have ever been, or ought to be: And the Messengers of the Chamber, or others who shall be appointed by the said Lords, or any twelve, or more of them, are speedily to deliver the said Writs to every Person and Persons / Sheriffs / Officers, and others to whom the same shall be directed; which if they or any of them fail to perform, they shall forfeit their places, and incur such other punishment as by that / or any other ensuing Parliament shall be imposed on them.

VI. That all and every the Peers shall make their appearance,

ance, and assemble on the said third day of January, in such manner, and to such effect, and with such power, as if they had received Writs of Summons to Parliament under the Great Seal in the usual and accustomed manner: And in case the said Lords, or twelve or more of them / shall fail to issue forth such Writs; or that the said Writers do not come to the said several Counties, Cities, &c. so that an Election be not thereupon made: And in case there be no Parliament assembled and held before the said 23^d day of the said moneth of January, and so from time to time, and at all times hereafter, then the Parliament shall assemble, and be held in the usual place at Westminster, in such manner, and by such means only as is hereafter enacted in this present Act, and not otherwise, on the second Tuesday, which shall be in the moneth of March, next after the said 23^d of January, at which the Peers shall assemble at the time and place aforesaid, and shall be liable to such pains for not appearing and serving then and there in Parliament, as if he or they had been summoned by Writ under the Great Seal, and had not appeared and served, and to such other pains and censures, as by the rest of the Peers in Parliament assembled, then shall be adjudged unto.

VII. That the several Sheriffs of the several Counties, Cities and Boroughs, &c. and the Chancellor, Masters and Scholars of both and every the Universities; the Mayor and Bailiffs of the Borough of Berwick upon Tweed, shall, at the several places to be held and appointed for their respective Counties, Universities, Cities and Boroughs, &c. next after the said 23^d day of January, cause such Knight and Knights, Citizen and Citizens, Burgees and Burgeesses of their said Counties, Universities, Cities, Boroughs, &c. to be chosen by such persons, and in such manner, as if several and respective Writs of Summons to Parliament under the Great Seal of England had issued: And in case any of the Sheriffs, or the Masters and Scholars of the Universities, or the Mayor and Bailiffs of Berwick respectively, do not before ten of the clock in the forenoon of the same day, wherein their several Courts and Places shall be held or appointed, begin and proceed on in choosing such Knight and Knights, Citizen or Citizens, Burgees or Burgeesses as aforesaid; Then the Freeholders of every County, Master and Scholars of every University, and

and the Citizens and others having joined in such Election, shall forthwith, without further warrant or direction, proceed to the Election of such knight or knights, Citizen or Citizens, Burgeses or Burgeses aforesaid, in such manner as is usual in case of Writs of Summons issued and awarded.

VIII. That the Sheriffs of their severall and respective Counties, Constable of the Chastle of Dover, and Lord Warden of the Cinque-Ports, or his Lieutenant for the time being respectively, shall after the 23 day of January, and before the eighth of February next and immediately ensuing, send forth their Precepts to the severall Cities and Boroughs within their severall Counties, and likewise unto the Cinque-Ports, commanding them respectively to make their Choice of such Citizens, Barons, Burgeses and Burgeses to serve in the said Parliament, at the time and place aforesaid: which said Cities, Cinque-Ports and Boroughs, shall respectively before the last day of the said month of February, make Election of such Citizens, &c. as if Writs of Summons of Parliament under the Great Seal of England had issued. And in case no such Precept shall come to the said Cities, &c. Or in case any Precept shall come, and no Election be made before the said last day of February, That then the said Citizens, Burgeses, and other persons, that ought to elect and send Citizens, &c. to the Parliament, shall on the first Tuesday in March next ensuing the said last day of February, make choice of such Citizen and Citizens, Barons, Burgeses and Burgeses, as if a Writ of Summons under the Great Seal of England had issued, and Precepts thereupon issued to such Cities, Cinque-Ports, and Boroughs, which knights, Citizens, &c. shall appear and serve in Parliament, at the time and place aforesaid, and shall each be liable to such Pains and Censures for their not appearing, and serving then and there in Parliament, as if he or they had been elected and chosen by virtue of a Writ under the Great Seal of England, and shall be subject to such further Pains and Censures as the rest of the knights, Citizens, &c. assembled in the Commons House of Parliament, he or they shall be adjudged unto: And if the Sherif and other Persons to whom it appertaineth to make Returns and accept and receive such Returns of such Elections, as if Writs of Summons had issued, and been executed

as hath been used and accustomed; and in default of making Return of such Elections, it shall be lawful for the Freeholders, and such as have elected to make Return of Knights, Citizens, &c. by them elected, which shall be as effectual to all intents and purposes, as if the Sheriffs or other Officers had received a Writ of Summons for a Parliament, and had made such Returns: and such Elections, Precepts, and Returns shall be had, made at such times, and by such persons, and in such manner as in the Act is expressed, any Writ, Proclamation, Edict, Act, Restraint, Inhibition, Order or Warrant, to the contrary notwithstanding. Add in case any person shall advise, frame, contrive, serve, or put in execution any such Writ, Proclamation, Edict, Act, Inhibition, Order or Warrant thereupon, he or they shall incur and sustain such Pains, Penalties and Forfeitures limited in and by the Statute of Provisiō and Praemunire of 16 R. 2. and shall be disabled during life, to sue, or implead any person in any action real or personal, or make any gift, grant or conveyance, or other disposition of his Lands, Tenements, Goods and Chattels which he hath to his own use, by Act executed in his life time, or by his last will, or otherwise: Or to take any gift, conveyance, or legacy to his own use, or to take any benefit of any gift, conveyance, or legacy to his own use.

IX. If any Sheriff, Constable of Dover Castle, Warden of the Cinque Ports, shall not perform his duty enjoined by the Act, he shall forfeit 1000 l. every County, Cinque Port, and Borough that shall not make election, shall incur the penalties following, viz. every County 1000 l. every City not a County 200 l. Cinque Port 100 l. the said Forfeitures to be recovered at Westminster in the name of the Lord Mayor of London for the time being, by action of Debt, Bill, Plaint, Information, wherein no essoin, protection, wager of Law shall be allowed, or any more than one imparlance. And if any person (after notice given that the action is prosecuted by virtue of this Act) shall procure such action to be stopped before judgment, by colour of any order, power, or authority, save of the Court where the action is brought: Or after judgment, shall cause or procure Execution to be stayed by any order, power, authority, save only by Writ of Error, or Attaint, the persons offending to incur the pains and penalties of the Statute

tute of 16 R. 2. of Praemunire: and such action, suit, or information shall not be discontinued by the death or removal of the Mayor, but it shall be lawful for the Lord Mayor next succeeding in the said Office to prosecute every such action, &c. and the 5th part of the Forfeitures in the said Act, shall go to the use of the City of London, and the other four parts residue to be employed and disposed of, as by the Knights, Citizens, &c. in Parliament assembled shall be appointed.

Provided, If the Freeholders, and those who have power to make Election, do proceed, making Election of the Knights, Citizens, &c. which Election shall be afterwards adjudged and declared void, then the Counties, Cities, &c. shall not incur the penalties in the Act, so as an Election in fact be made.

X. No Parliament assembled shall be prorogued, or dissolved within forty days after the time appointed for the meeting thereof, without the consent of the King, his Heirs, &c. and both Houses of Parliament; and that neither Houses of Parliament shall be adjourned within fifty days, unless it be with the free assent of both Houses.

XI. That the Peers assembled in Parliament may at any time, during their assembly in Parliament, choose and declare such a person to be Speaker for the Peers, as they shall think fit: and likewise the Knights, Citizens and Burgesses assembled in Parliament, may declare one of themselves to be Speaker for the said Knights, Citizens and Burgesses, &c. as they shall think fit, who shall be perfect Speaker of either Houses accordingly.

XII. All Parliaments hereafter to be assembled by Authority of this Act, and every member thereof, shall have all rights, privileges and immunities, as any Parliament summoned by Writ under the Great Seal of England, or any member thereof might, or ought to have; and the Members assembled in the House of Commons, shall have voices in Parliament before, and without taking the Oath of Supremacy or Allegiance, or any of them.

I. Provided, That if the King, his Heirs or Successors, shall during any Parliament to be assembled, award Commission or Commissions to any person or persons, to take and receive the Oath of Supremacy and Allegiance, of all or any the Members of the House of Commons, and any of the Members shall

refuse to take the same; that such persons so refusing, shall be declared no Member of that House, nor enjoy any voice therein.

XIII. This Act shall be publicly read yearly at every General Sessions of the Peace to be held next after the Epiphany, and every Assize next ensuing, by the Clerk of the Peace, and Clerk of the Assizes for the time being; and if they or either of them shall neglect or fail to do the same, they shall forfeit the summe of 100 l.

Thus doth this incomparable Statute declare and confirme the people of England, *The Keepers and Guardians of their own Liberty as of naturally Right they ought to be*; and tho this is nothing so much as ought to be expected from such as will establish their native Country in a state of Freedom, yet the excellent matter therein contained, and the manner how it is exprest, doe plainly demonstrate the Wisdom and excellent design of those Noble Patriots, *who not being able to relieve their Country at once*, laid this as a Foundation to go upon for Regaining and recovering the natural Freedom of England.

But in a small time after the making of this Law, there past an Act that *the Parliament then sitting should not be dissolved, prorogued nor adjourned without their own consent*: by means of which this Act became wholly useless so long as that *Parliament* continued which was about twelve years.

And after the said *Parliament* was dispers'd by Oliver Cromwel, it proved also useless by reason there were many and frequent Assemblies of *Parliament*, or *something like them*; until the year of our unhappy Restauration, and then were our Countrymen a little moon sick as they use to be once in every ten or twelve years, about which time it seem'd good to our Sovereign Lord the King most graciously to issue out his writs, for a *Parliament* to meet at Westminster the eight day of May Anno Domini 1661. and with all sent forth his *Emissaries* throughout the Nation, who together with his *Januaries* stur'd up the Lunatick multitude in such mad and violent manner, that scarce an honest man durst appear either to chuse or be chosen at any Election.

And if any man did but dispute the Kings Letter, which was sent to every place of Election, to recomend his Footmen; or at least some young fellows that depended wholly upon the Court to raise their Fortunes, such a one was a Roundhead a Rebell, and in danger of being stoned by the Rable.

And

And many worthy Gentlemen who for the love they had to their native Country, ventured a little too far *felt the fury of the multitude.*

When this pretended Parliament was met the King, was sure of more then two thirds of the Lower Houle, *besides what might follow the Crowd or fall to him by chance:* And for the Lords, he had them in his hand; for if he wanted a Majority, he could alwayes create one when and so often as he pleased.

Now these *Civil Banditti* being mustered, were content to serve the King as Volunteers, *but not without pay:* therefore was it their first and principal concern to know how every man should be payed *for the wear and tare of his Conscience,* with the sale of his Country and his bodily Labour into the Bargain.

And there not being Offices and places of profite for the one half it was considered how that other should be satisfied, *whether out of the Booty that should be taken from their implacable Enemies the People,* or by way of Annual peniſion. But because the Court would play a secure game, it was at last resolved that it should goe *by shares* in the prizes and spoyles, *Buckaneer fashion, no purchas no pay.*

When the happy work of selling the methods of payment and means of subsistence was over, to work they goe in persuite of his Majesties gracious Intentions which consisted in three Heads, 1st, *To become Absolute;* 2^d, *To ruine the Fanatiques;* and 3^d, *To cheat the People:* And happy was he that could most cunningly devise any thing for promoting the Ends aforeſaid, or any of them: Thus were they hard at Work the best part of the *Summer,* and upon the 31th of *July* they had prepared many goodly Acts, among which *that for disabling all men of Conscience from holding Office in any City or Corporation was one,* and upon that day were they ajourned till the 30th of November then next ensuing.

This being the 31th of July Anno 1661 and the last day of this Parliaments meeting and sitting they continued very busly, and *by several Prorogations and Adjournments,* until the tenth of September, which was Anno 1663. and from the same third tenth of September until the month of March following, *without so much as thinking of a Triennial Parliament.* But as soon as they understood their condition, *what a pickle were they in,* to finde themselves dissolved; and their work not half done, nor their fortunes a quarter made; but after they were a little recovered, *and their Blood began to settle,* a Cabinet was held, in which

which it was resolved, *that the King their Master was now Absolute and Rich enough to defend them against the Triennial Act* ay and the people too, *if there were occasion.* And therefore they resolved *to be perpetual*, to after shaking of hands, and a parcel as of solemn Obligations sealed with Alamode Oaths, *to stand by one another, to the last drop of Blood,* they agreed to curse and damne the Triennial Parliament by all the Oaths and curses *that could be invented at Court:* and the better to blinde the people they would make a thing which they should call an *Act* for Repealing the Statute for the Triennial Parliament, upon which Resolution they returned to the old Nest, and upon the fifth day of April Anno Domini 1664 they brought a pretended Act of Parliament into the world: and as it is usual in such cases, *with a Title clear contrary to the Contents.*

Which was to this purpose.

16 Car, 2. *That an Act for preventing of inconveniences happening by the long intermission of Parliaments, and all and every the Articles, Clauses and things therein contained, is, shall be, and are hereby wholly repealed and made void, &c.*

II. *That hereafter the sitting and holding of Parliaments shall not be intermitted or discontinued above three years at the most; but that within three years from and after the determination of this presents Parliament, and so from time to time within three years after the determination of any other Parliament or Parliaments, or if there be occasion, more often, his Majesty, his Heirs and Successors doe Issue out his Writs for calling, assembling and holding of another Parliament, to the end there may be a frequent calling, assembling and holding of Parliaments once in three years at the least.*

This was the Parliament that made the Corporation Act, that gave away the power of the Militia, that made it Treason to speak, write or print against the King, and a premanire to call him a *Papist*, it was they that in about 16 years gave the King *all the Coyn of England at least three times over:* it was this Parliament that gave him five and twenty hundred thousand pounds at a blast; it was they who sat six months and six and twenty days after they were dissolved by the Triennial Act, and yet were so impudent as to pretend to repeal it, and then venture to sit thirteen or fourteen years more; this Parliament became famous by augmenting the standing Revenue to that degree that our Kings may annually receive one sixth part of all our Coyn, besides by Jobs
and

and od Supplies. It was this Parliament that so eminently assisted the King against the Fanatiques at home, and the Dutch abroad; in briefe, they have made such work as will make some body else, as well as *old Roundheads* want an *Act of Oblivion*.

But it would be great Injustice and Ingratitude for any Englishman to speak of this pensionary Parliament, and not to remember the *sa-mous Worthies* that it pleased God at that time to raise up both among the *Lords and Commons*, who altho they were but few in number, and not able to doe much good, neither by vote nor Intrest, yet did they by their great Wisdom, Courage, Policy and unwearied Indultry *more then once or twice prevent the Ruine of the Nation*. Let them be remembered for ever, and let us and our Children bless them who when all hope was gone, and when they had the greatest Reason to despair of our Condition: *Jeopardyed their lives* even to the death for England.

Some of which renowned worthies its hopt are now alive, and shall see that Liberty *seoured*, which they then so eminently *preserved* and be assistant in this great work of *settling England*: as well as help us to discover and punish the unpresidented villany of the Pensionary Parliament.

Sovereigne Senators.

You are blest and honoured with an Opportunity of freeing your native Country from Tyranny and Oppression: you are brought together, protected and assisted by a most excellent Prince, who by his Declarations and frequent Speeches mind's you of your present Duty to settle the Liberty and Freedom of England upon such lasting Foundations as that there may be no more danger of Popery and Slavery in time to come, you are authorized strengtened, and confirmed by an Act of Parliament wondrously and unexpectedly preserved to you and England, notwithstanding the malice, potency and craft of the Adversaries. And now is it in your power to make your native Country easy, peaceable quiet and prosperous, and your Prince happy, glorious and great.

Constitution is the Foundation of all Government and Order among men, and he that will build good Laws upon a bad Constitution: *only erects Castles in the Air*: but when the Constitution of a Government is good; bad Laws will seldom be made, and should any such happen to be; they are soon and without any great trouble Amended.

And since the Constitution of our Government is so monstrously ill, it would be putting the Cart before the Horse to propose an Amendment of our Laws before we have a better and more rational Constitution.

And how can we reasonably expect that our Nation can be happy and Glorious so long as our *Commons* are not of course chosen once every year, and our *Lords* and *Commons* meet and ajourn of course by their own discretion, and have standing and great Committees, as other Courts and Councils of that nature are accustomed to have.

So long as there remains any such thing as Prorogation of Parliament, and while they Can be ajourned without their own consent, and so long as there are any dissolutions of Parliament, but such as are of course every year, that the Kings part in Parliament may only be as in Reason it ought, to consent to all such Laws and Ordinances as may from time to time be made and divided by that high and honorable Court.

Can we in reason think it will go well with England so long as our Elections can be so easily corrupted, and our Corporations and Bodies Politique deprived of their Liberty.

And so long as the Sheriffs of the severall Counties are not annually chosen, and made by the Freeholders of the same, and have the *passé Commitatus* as was formerly used.

Can we expect just Judgment so long as the Judges and Justices of our *Land* are made by and at the pleasure of the King, and not during their good behaviour and by consent of Parliament.

Can we be secure so long as the power of the Militia is in the King, and not commanded, ordered and disposed of by Authority of Parliament as it antiently was.

Can we have safety at home, or honour abroad, so long as it is in the power of the King either to make unlawful or dishonorable peace, or imbroyle the Nation in Warr and Blood, when and for what reason he pleases, without any just cause or Advice, but only that of a Woman or two, or sometimes for less occasion.

When those things are well regulated, ordained and settled, and the Nation put in a posture of Keeping and defending the same, can the people of England by more easy safe lawfull and honest wayes and methods guard and defend themselves against Tyranny and Oppression, then by open and shamful Rebellions.

Then

Then may we promise our selves a sett of *Honest and Sociable Kings* for at least a hundred years to come, and venture to prophesy that our Native Country shall be no more wasted by intestine division and war so long as we shall live, *and let posterity look to the rest.*

Many other things might be said, but when these things are well ordained, the rest will naturally follow.

Now seeing you know and are acquainted with these things (*most Noble Senators*) and have had the experience of Tyranny and its consequence at home, *which has changed so much of our Native Country from a fruitful field into a baren WilderNESS*, and on the contrary you have Examples abroad of the *Glorious Effects of Liberty*, which hath changed some of our *Neighbour-land* from *Morass* and *Howling Desert* into fruitful Fields: Your work of a few months will either render you the blessing of this and Generations to come, and the lasting praise of England, or accursed of God and good men, a further shame to your Native Country, and guilty of all the Slaughter Blood and Ruine which may thereupon ensue.

And now are the Eyes of England upon you, *most Honorable Senators*, and their Prayer and Request to God Almighty is that he would be pleased to bless and endow you with Wisdome and conduct Courage, and Discretion, more then any before you, and that you may in all your Consultations and Resolutions have the help Direction and Assistance of him, *whose Counsel shall stand, and who will doe all his pleasure*, in settling the Government, Liberty and Freedom of your Native Country, *upon such lasting Foundations that it may not be in the power of any Prince to introduce Tyranny and its consequence Slavery in any time to come.*

F I N I S.